



11F 2856  
Atty. Dkt. No. 063073-0110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danyluk et al.

Title: NON-VIBRATING  
CAPACITANCE PROBE FOR  
WEAR MONITORING

Appl. No.: 09/846,835

Filing Date: 05/01/2001

Examiner: D.S. Larkin

Art Unit: 2856

<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.  <u>Anna M. Hanson</u> (Printed Name)  <u>anna m. hanson</u> (Signature)  <u>11-23-2005</u> (Date of Deposit)
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[ X ] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	38	-	28	=	10	x	\$50.00	=	\$500.00
Independent Claims:	15	-	7	=	8	x	\$200.00	=	\$1600.00
First presentation of any Multiple Dependent Claims:		+					\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$2100.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$2100.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$1,050.00
TOTAL FEE:		\$1,050.00

- ☒ Please charge Deposit Account No. 06-1450 in the amount of \$1,050.00. A duplicate copy of this transmittal is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov. 23, 2005

By Michael D. Rechtin

FOLEY & LARDNER LLP  
 Customer Number: 27433  
 Telephone: (312) 832-4586  
 Facsimile: (312) 832-4700

Michael D. Rechtin  
 Attorney for Applicant  
 Registration No. 30,128



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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated September 15, 2005, concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 10 of this document.

Please amend the application as follows:

11/28/2005 EAREGAY1 00000018 061450 09846835

01 FC:2202 250.00 DA  
02 FC:2201 800.00 DA